

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

In re: JEFFERY W. POTTER,


No. 7-05-14071 MS

Debtor.

**ORDER DENYING JEFFERY POTTER'S MOTION TO COMPEL
ABANDONMENT OF ASSETS (DOCKET # 467)**

THIS MATTER is before the Court on Debtor's Motion of Jeffery W. Potter in his pro se capacity to 1. Request the Court to Declare that None of the Assets Standing in the Name of the Legal Defense and Maintenance Trust of California ("California Trust") are Part of My Chapter 7 Estate and/or 2. To Compel the Trustee to Abandon the Property and the Limited Liability Company Assets Transferred to the Estate by the California Trust or as the Case May Be, of the California Trust's Assets Standing in the Name of the California Trust (Bankruptcy Code ss 541 and 554(b) ("Motion"). The Motion requests the same relief as the Motion of Martin S. Friedlander in his Pro Se Capacity as Secured Creditor and Third Party Beneficiary of the Legal Defense and Maintenance Trust of California ("California Trust") to: 1) Request the Court to Declare that None of the Assets Standing in the Name of Said Trust are Part of the Potter Chapter 7 Estate and/or 2) to Compel the Trustee to Abandon the Property of Potter and the Limited Liability Company Assets Transferred to the Estate by the California Trust or as the Case May Be, of the California Trust's Assets Standing in the Name of the California Trust (Bankruptcy Code § § 541 and 554(b) ("Motion to Compel Abandonment") (Docket # 453). A final hearing on the Motion and the Motion to Compel Abandonment was held on November 28 and 29, 2007. WHEREFORE, IN ACCORDANCE with the Court's ruling at the final hearing on the Motion to Compel and on the Motion,

IT IS HEREBY ORDERED, that the Motion is DENIED, for the reasons and upon the same conditions stated in the Court's Order Denying Martin S. Friedlander's Motion to Compel Abandonment of Assets (Docket # 453). *See* Docket # 597.



MARK B. McFEELEY
United States Bankruptcy Judge

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